

Senate File 206 - Introduced

SENATE FILE 206

BY ERNST

A BILL FOR

1 An Act relating to property division in dissolution proceedings
2 relating to military disposable retired pay.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 598.21, Code 2013, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 6A. *Disposable retired pay — member of*
4 *the military.* Disposable retired pay, as defined pursuant to
5 10 U.S.C. § 1408(a)(4), to which a party is entitled shall be
6 subject to property division but shall be restricted such that
7 any award shall correspond with the party's length of service
8 and pay grade at the time of the dissolution, not the future
9 time of retirement, if applicable.

10 EXPLANATION

11 Under the federal Uniformed Services Former Spouses
12 Protection Act, the disposable retired pay of a member of
13 the military may be considered property in a dissolution of
14 marriage. This bill provides, however, that any award of
15 disposable retired pay is to correspond with the length of
16 service and pay grade of the recipient party at the time of the
17 dissolution, not the future time of retirement, if applicable.